

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

MICHAEL LATOURETTE,

Plaintiff,

v.

WASHINGTON DEPARTMENT OF  
CORRECTIONS et al.,

Defendants.

CASE NO. C12-564 BHS-JRC

ORDER DENYING PLAINTIFF'S  
MOTION TO STAY THIS ACTION

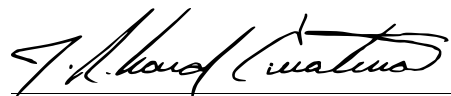
The District Court has referred this 42 U.S.C. §1983 civil rights action to the undersigned Magistrate Judge. The Court's authority for the referral is found in 28 U.S.C. §§ 636(b)(1)(A) and (B) and Local Magistrate Judges Rules MJR 1, MJR 3, and MJR 4.

Plaintiff asks that the Court stay this action until after August 18, 2013, when plaintiff alleges that he will be released from incarceration (ECF No. 32). Plaintiff alleges that he was assaulted and injured by another inmate and that Corrections Officers who are named defendants knew the other inmate was a threat (ECF No. 12). Plaintiff alleges that defendants did not intervene to protect him even though the assault lasted several minutes (ECF No. 12).

1 The Court entered a scheduling order in this case in June of 2012 (ECF No. 19). The  
2 Court extended those deadlines in December of 2012 at defendants' request (ECF No. 31). In  
3 total the parties have had over seven months to conduct discovery. Plaintiff now contends that he  
4 cannot take "any of the steps necessary to prepare or prosecute his case." (ECF No. 32). Plaintiff  
5 has not placed before the Court any discovery he has served on defendants or any responses or  
6 objections they have made. Plaintiff fails to show the Court what steps he has attempted to take  
7 or what discovery he has engaged in. Further, plaintiff has made no showing who he wants to  
8 depose or what information he believes these potential persons may have. Plaintiff fails to show  
9 that there is good cause to stay this action. Discovery in this case closed on January 18, 2013.  
10 Plaintiff filed this motion only two days before the discovery cutoff date. The time period for  
11 conducting discovery in this case is now over.

12 Plaintiff has not shown cause to delay dispositive motions in this case. The motion to stay  
13 this action is denied.

14 Dated this 8<sup>th</sup> day of February, 2013.

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17 J. Richard Creatura  
18 United States Magistrate Judge  
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